

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

RANDY ALGOE,

Plaintiff,

v.

STATE OF TEXAS, et al.,

Defendants.

§
§
§
§
§
§
§
§
§
§

**Civil Action No. 3:15-CV-1162-D
(consol. with 3:15-CV-1204-D)**


ORDER

After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct. It is therefore ordered that the findings, conclusions, and recommendation of the magistrate judge are adopted.

Plaintiff's request for counsel, included in his October 14, 2016 objections, is denied.

Accordingly, plaintiff's removal action (3:15-CV-1204-D) is remanded to the Justice of the Peace Court, Precinct 3, of Tarrant County, Texas for lack of subject matter jurisdiction, and his federal and state law claims are dismissed with prejudice pursuant to 28 U.S.C. § 1915(e)(2) by judgment filed today.

Signed November 21, 2016.


SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE